

RECEIVED  
CENTRAL FAX CENTER  
JAN 10 2005



OFFICIAL

**FAX TRANSMITTAL MEMO**

<b>TO:</b> <b>Commissioner for Patents</b>	<b>COMPANY:</b> <b>U.S. Patent &amp; Trademark Office</b>	<b>FAX #:</b> <b>703-872-9306</b>
This communication may contain confidential and/or privileged information intended only for the addressee. DO NOT read, copy or disseminate this communication unless you are the intended addressee. If you have received this communication in error, please contact the sender immediately and discard all copies.		
<b>DATE:</b> <b>FROM:</b> <b>OPERATOR:</b> <b>CLIENT/MATTER:</b> <b>PAGES:</b>	<b>January 10, 2005</b> Morgan S. Heller II Karen Jeffer 07689-00023 22 (including cover)	Reviewed and approved for facsimile transmission by: <i>MSH</i>

*The original will not be sent. If the copy is illegible or incomplete, please call the operator at Direct: (802) 846-8318.*

**Comments**

BTV.255986.1

COURTHOUSE PLAZA ■ 199 MAIN STREET ■ PO BOX 190 ■ BURLINGTON, VT ■ 05402-0190 ■ T: +1.802.863.2375 ■ F: +1.802.862.7512  
BURLINGTON, VT ■ ST. JOHNSBURY, VT ■ BRATTLEBORO, VT ■ MONTPELIER, VT ■ LITTLETON, NH ■ WWW.DRM.COM

PTO/SB/30 (09-04)

Approved for use through 07/31/2006. OMB 0551-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

# Request for Continued Examination (RCE) Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/759,421
Filing Date	1/12/2001
First Named Inventor	John E. Cronin
Art Unit	3625
Examiner Name	Mark A. Fadok
Attorney Docket Number	07689-00023

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **(Submission required under 37 CFR 1.114)** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☒ Deposit Account No. 04-1588. I have enclosed a duplicate copy of this sheet. (**\$560**)

i. ☒ RCE fee required under 37 CFR 1.17(e) (**\$395**)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) (**\$165**)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>Morgan S. Heller II</i>	Date	1/10/2005
Name (Print/Type)	Morgan S. Heller II	Registration No.	44,756

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	<i>Morgan S. Heller II</i>	Date	1/10/2005
Name (Print/Type)	Morgan S. Heller II		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: John E. Cronin

Serial No.: 09/759,421

Filed: January 12, 2001

Title: Method For Using Web-Based Marketing  
And/Or Management ToolAttorney Docket No.: UV-01  
(07689-00023)☒ CERTIFICATION OF FACSIMILE TRANSMISSIONI hereby certify that this correspondence is being facsimile  
transmitted to the United States Patent and Trademark Office,  
Fax No. 703-872-9306, on the date shown below.  
Morgan S. Heller II Date 01/10/05

Group Art Unit: 3625

Examiner: Mark A. Fadok

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

January 10, 2005

REQUEST FOR CONTINUED EXAMINATION (RCE)  
(37 C.F.R. 1.114)Applicant hereby requests continued examination, in accordance with 37 C.F.R. § 1.114,  
for the above identified application.

This request is being submitted:

- ☒ Prior to abandonment of the application
- ☐ Payment of the issue fee
- ☐ Prior to payment of issue fee
- ☐ Issue fee has been paid but a petition under § 1.313 has been granted
- ☐ Prior to a decision on appeal to the Board of Patent Appeals & Interferences

P279-12/01

Page 1 of 5

Law Offices of  
Downs Rachlin Martin PLLC  
199 Main Street  
P.O. Box 190  
Burlington, VT 05402-0190  
(802) 863-2375

- ☐ A notice is being separately sent to the Board of Patent Appeals & Interferences that this Request for Continued Examination is being filed.
- ☐ Appeal to the U.S. Court of Appeals of the Federal Circuit under 35 U.S.C. 145 or
- ☐ Commencement of a civil action under 35 U.S.C. 146:
- ☐ Prior to the filing of such appeal or commencement of civil action
- ☐ Such appeal or commencement of civil action has been terminated

Enclosed herewith is:

- ☐ An information disclosure (37 C.F.S. § 1.98)
- ☐ Form PTO-1449 (PTO/SB/08A and 08B)
- ☒ An amendment
- ☐ New arguments
- ☐ New evidence in support of patentability
- ☐ Other:

This application is on behalf of:

- ☒ Small entity (and status is still as small entity) \$395.00
- ☐ Other than a small entity \$790.00

Continued Prosecution Request Fee: \$395.00

P279-12/01

Page 2 of 5

Law Offices of  
Downs Rachlin Martin PLLC  
199 Main Street  
P.O. Box 190  
Burlington, VT 05402-0190  
(802) 863-2375